

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JOEL CABRERA,  
PLAINTIFF,  
v.  
BAY AREA CREDIT SERVICES,  
DEFENDANT.


Case No.: C 08-03761 JW

**ORDER VACATING ORDER TO SHOW  
CAUSE RE: SANCTIONS; SETTING  
HEARING ON ORDER TO SHOW CAUSE  
RE: SETTLEMENT PAYMENT AND  
STIPULATED DISMISSAL**

Based on the parties' separate responses to the Court's Order to Show Cause re: Sanctions (Docket Item Nos. 36, 38), the Court finds good cause to VACATE its Order to Show Cause and hearing set for July 13, 2009. However, the Court finds that the Stipulated Dismissal as filed (Docket Item No. 37) is incomplete since it is contingent upon Defendant's payment of the Settlement Agreement and attorney fees as awarded by the Court. Accordingly, the Court sets an Order to Show Cause hearing re: Settlement Payment and Stipulated Dismissal for **August 31, 2009 at 9 a.m.**

On or before **July 20, 2009**, Defendant shall tender the Settlement Payment and attorney fees and costs as awarded by the Court to Plaintiff. On or before **August 10, 2009**, the parties shall file a Stipulated Dismissal free of any contingent.

Dated: July 7, 2009

  
JAMES WARE  
United States District Judge